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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,890	11/30/2001	Yuan-Jung Chang	MR2349-739	2768
4586	7590	03/24/2005	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			PHAM, TUAN	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/996,890

Applicant(s)

CHANG ET AL.

Examiner

TUAN A PHAM

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 1-3, and 5-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. (Pub. No.: 2002/0083121, hereinafter, "Chang").**

Regarding claim 1, Chang teaches a wireless peripheral with inbuilt drivers of a host computer, the host computer having a wireless transmission module capable of transmitting control information to control actions of the wireless peripheral, the wireless peripheral comprising (see figure 1):

a wireless transmission module being capable of achieving communication with the wireless transmission module of the host computer (see figure 2A, 2B, col.5, [0059-0062], col.7, [0082]);

a central processing unit being a control center of the wireless peripheral and being capable of performing transmission of control commands with the host computer, installation or renewal of drivers, and retrieval of parameters on the host computer via the wireless transmission modules (see figure 1, figure 4A, information apparatus 100 can be a laptop 104 that should be included a processor for controlling the operation of the laptop, col.4, [0043-0044], col.5, [0059-0062], col.6, [0065]);

a database storing one or more driver therein; the database having memory storage functionalities which can store functional properties or driver's installation information of the host computer (see figure 1, information apparatus 100 can be a laptop 104 that should be included a memory for store the information, col.4, [0043-0044, 0048], col.5, [0059-0062]); and

a renewal unit being capable of storing or recording new drivers into the database via the host computer (see figure 1, laptop 104 has a storage for storing the new version of software, col.7, [0078-0081]).

Regarding claim 2, Chang further teaches the wireless peripheral with inbuilt drivers comprises communication protocols used by the wireless transmission module include IrDA, bluetooth, 802.11x, RF, Hiper LAN, IR, and laser transmission (see col.8, [0099-0105]).

Regarding claim 3, Chang further teaches the wireless peripheral with inbuilt drivers wherein the wireless transmission module can use a wired I/O interface to achieve connection with the host computer (see col.4, [0044]).

Regarding claim 5, Chang further teaches the wireless peripheral with inbuilt drivers wherein the host computer can be a computer equipment having a wireless transmission module such as a desktop computer, a mainframe, a server, or a portable computer (see col.5, [0060-0061]).

Regarding claim 6, Chang further teaches the wireless peripheral with inbuilt drivers wherein the host computer can be a small personal equipment having a wireless transmission module such as a handheld computer, a PDA, or a mobile phone (see col.5, [0060-0061], host computer can be a laptop).

Regarding claim 7, Chang further teaches the wireless peripheral with inbuilt drivers wherein the wireless peripheral can be a computer peripheral having a wireless transmission module such as a printer, a screen, a digital board, a mouse, a scanner, a modem, a network equipment, or any computer's device which has capability of wireless transmission (see col.4, [0043]).

Regarding claim 8, Chang further teaches the wireless peripheral with inbuilt drivers wherein the wireless peripheral can be a small personal equipment having a wireless transmission module such as a handheld computer, a PDA, or a mobile phone (see col.4, [0043]).

Regarding claim 9, Chang further teaches the wireless peripheral with inbuilt drivers wherein the database can be an EEPROM, a flash memory, a disk, a hard disk,

an optical disk such as a CD/VCD/DVD, a portable flash memory such as a CF card, a SM card, a secure Digital, a Multi Media Card, or a Memory Stick (see col.4, [0044]).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (Pub. No.: 2002/0083121, hereinafter, "Chang") in view of Hall et al. (Pub. No.: US 2004/0203352, hereinafter, "Hall").**

Regarding claim 4, Chang teaches a wireless peripheral with inbuilt drivers of a host computer, the host computer having a wireless transmission module capable of

transmitting control information to control actions of the wireless peripheral, the wireless peripheral comprising (see figure 1):

a wireless transmission module being capable of achieving communication with the wireless transmission module of the host computer (see figure 2A, 2B, col.5, [0059-0062], col.7, [0082]);

a central processing unit being a control center of the wireless peripheral and being capable of performing transmission of control commands with the host computer, installation or renewal of drivers, and retrieval of parameters on the host computer via the wireless transmission modules (see figure 1, figure 4A, information apparatus 100 can be a laptop 104 that should be included a processor for controlling the operation of the laptop, col.4, [0043-0044], col.5, [0059-0062], col.6, [0065]);

a database storing one or more driver therein; the database having memory storage functionalities which can store functional properties or driver's installation information of the host computer (see figure 1, information apparatus 100 can be a laptop 104 that should be included a memory for store the information, col.4, [0043-0044, 0048], col.5, [0059-0062]); and

a renewal unit being capable of storing or recording new drivers into the database via the host computer (see figure 1, laptop 104 has a storage for store the upgrade to new version software, col.7, [0078-0081]).

It should be noticed that Chang fails to teach the wireless transmission module can use a relay device having a wireless transmission module to achieve connection

with the mobile device. However, Hall teaches such features (see figure 4, relay 42, col.3, [0029].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hall to Chang, in order to connect the transceiver with the other device in wireless as suggested by Hall at col.3, [0029].

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Rosen (Pub. No.: US 2003/0051084), Chen et al. (Pub. No. : US 2004/0199676), Watanabe Atsushi (JP11143662A 19990528), and Koji Nakagiri (EP0716371A2) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the system and method for providing information processing apparatus having automatic OS selecting function.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (703) 305-4708 and

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Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2643
March 15, 2005
Examiner

Tuan Pham



BINH TIEU
PRIMARY EXAMINER